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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,981	04/12/2001	Toshiyuki Nakagawa	862.C2198	9705

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EXAMINER

VENT, JAMIE J

ART UNIT PAPER NUMBER

2621

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/832,981

Applicant(s)

NAKAGAWA, TOSHIYUKI

Examiner

Jamie Vent

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 5/11/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,5-10,12-14,18-23 and 25-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5-10,12-14,18-23 and 25-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 11, 2006 has been entered.

### ***Response to Arguments***

Applicant's arguments filed May 11, 2006 have been fully considered but they are not persuasive. On page 10-14 applicant argues that Shamoon et al in view of Fukushima et al fails to disclose the following limitation "Input means for inputting a plurality of coded object data and management information for managing each of the plurality of coded object data" as recited in Claim 1. Shamoon et al shows Figure 1 input of the bit stream as further described in paragraphs 0044-0045 and thereby meets the limitation. Furthermore, applicant argues that Shamoon et al in view of Fukushima et al fails to disclose the following limitation, "determination means for determining whether or not a time is within a time limit of reproduction, based on the time limit information for each of the plurality of coded object data" as recited in Claim 1. Fukushima et al discloses a data transmission system wherein information is processed through transmitting of data. The extraction of the transmitted data includes the extraction of time limit information, which determines reproduction time, and if

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reproduction is permitted as described in Column 4 Lines 25-58. The use of a time limit for the use of reproduction allows the system to properly reproduce data correctly within the limit that is to be processed. Although, the system uses the information to process retransmission of the packet data it still meets the limitation of determining the proper time limit. Applicant argues that Shamoon et al in view of Fukushima et al discloses "decoding a coded object data and synthesizing and outputting the decoded object data, if it is determined that the time is within the time limit of reproduction" as recited in Claim 1. Additionally, Fukushima discloses the decoding of the appropriate data to be outputted as seen in Figure 2 packet decoding unit 23 and further described in Column 15 Lines 50+. Although, all of applicants points are understood the examiner can not agree and therefore the rejection is maintained.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims <sup>1</sup>~~12~~, 5-10, <sup>12-14</sup>~~12-15~~, 18-23, 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable by Shamoon et al (US 2004/0107356) in view of Fukushima et al (US 6,587,985).

**[claims 1 & 14]**

TTC  
7/22/06

In regard to Claims 1 and 14, Shamoon et al discloses an information processing apparatus and method for demultiplexing and decoding a bitstream which contains one-or a plurality of object data and management information for managing each of the plurality of object data, and reproducing one-or a plurality of object data (Figure 1 shows the demultiplexing and decoding of the bitstream that contains object and management information), comprising:

- Input means for inputting a plurality of coded object data and management information for managing each of the plurality of coded object data (Figure 1 bitstream input 2 as described in paragraphs 0044-0045);
- extraction means for extracting, from the management information (Figure 1 shows the extraction of the management information which is further described in Page 14 Paragraphs 0201-0205); and
- control means for controlling a reproduction process of each of the one or plurality of object data based on the time limit information (Figure 2 shows the time stamp wherein is controlled by the reproduction process as further described in Page 3 Paragraph 0056); however fails to disclose the extraction means extracts time limit information which pertains to a time limit set for each of the plurality of object data, wherein the time limit information includes information of a period in which reproduction is permitted; determination means for determining whether or not a time is within a time limit of reproduction, based on the time limit information for each of the plurality of coded object data, and decoding a coded object

data and synthesizing and outputting the decoded object data, if it is determined that the time is within the time limit of reproduction.

Fukushima et al discloses a data transmission system wherein information is processed through transmitting of data. The extraction of the transmitted data includes the extraction of time limit information, which determines reproduction time, and if reproduction is permitted as described in Column 4 Lines 25-58. The use of a time limit for the use of reproduction allows the system to properly reproduce data correctly within the limit that is to be processed. Although, the system uses the information to process retransmission of the packet data it still meets the limitation of determining the proper time limit. Additionally, Fukushima discloses the decoding of the appropriate data to be outputted as seen in Figure 2 packet decoding unit 23 and further described in Column 15 Lines 50+. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use an information processing apparatus, as disclosed by Shamoon et al, and further incorporate a system that extracts time limit information that pertains to the reproduction of data and properly decodes the information to be outputted, as disclosed by Fukushima et al.

**[claims 5, 6, 18, & 19]**

In regard to Claims 5, 6, 18, and 19, Shamoon et al discloses an apparatus and method wherein the time limit information is a total of browsing, display, or reproduction times since the first browsing, display or reproduction time of contents of a bitstream of the object data (Figure 2 shows a time stamp information wherein the time limit information is specified. Furthermore, it is noted that on Page 3 Paragraph 0056 further describes

what consists the time limit information (i.e. rendering of streams) which is included in the time limit information).

**[claims 7 & 20]**

In regard to Claims 7 and 20, Shamoon et al discloses an apparatus wherein the time limit information is a specific time (Page 37 Paragraph 0612 describes the specific time for the time limit information as described as "check-in" and "check-out").

**[claims 8 & 21]**

In regard to Claims 8 and 21, Shamoon et al discloses an apparatus and method wherein said acquisition means acquires a time as the time period information from a timepiece that provides a standard time via a network (Figure 24 shows a clock 2434 which acquires time at the time period and provides a standard time through the network connection as further described on Page 19 Paragraph 0298).

**[claims 9 & 22]**

In regard to Claims 9 and 22, Shamoon et al discloses an apparatus and method wherein said acquisition means acquires a time as the time period information from an internal timepiece of an external computer which does not allow tampering (Page 20 Paragraph 0314 further explains a time piece that does not allow tempering).

**[claims 10 & 23]**

In regard to Claims 10 and 23, Shamoon et al discloses an apparatus and method further comprising measurement means for measuring time, and wherein said acquisition means acquires the time said measurement means (Page 19 Paragraph 0298 describes the measuring of elapsed time and thereby providing a measurement).

**[claims 12 & 25]**

In regard to Claims 12 and 25, Shamoon et al discloses an apparatus and method wherein said control means updates the time limit information in accordance with reproduction of the object data (Page 5 Paragraph 0079 describes the updating of information including time limit information).

**[claims 13 & 26]**

In regard to Claims 13 and 26, Shamoon et al discloses an apparatus and method wherein the control means updates the time limit information as new time limit information by counting an elapsed time during browsing, display or reproduction of the object data, and subtracting the counted elapsed time from the time limit information (Page 5 Paragraph 0079 describes the updating of information and providing new time limits. It is further understood on Page 37 Paragraph 0612 that time limit information is calculated based on elapsed time and counted elapsed time. Thereby meeting the limitation of the calculation of the new time limit).

**[claim 27]**

In regard to Claim 27, Shamoon et al discloses a computer readable storage medium, as previously recited in Claim 1, which stores a program code of an information processing method for demultiplexing and decoding a bitstream which contains a plurality of object and management information for managing each of the plurality of object data, and reproducing a plurality of object data, comprising:

- a code of the extraction step of extracting, from the management information, time limit information which pertains to a time limit set for



each of the one-or plurality of object data (Figure 1 shows the extraction of the management information which is further described in Page 14 Paragraphs 0201-0205. Furthermore, time limit information pertaining to time limit set is described on Page 31 Paragraph 0512 and Page 37 Paragraph 0612 which describes the time limit information and the expiration of the time wherein the control information determines the time limits have expired); and;

- a code of the control step of controlling a reproduction process of each of the one or plurality of object data based on the time limit information (Page 37 Paragraph 0612 describes the time limit information which controls the reproduction of the object data due to the limits that are being implemented for the data).

**[claim 28]**

In regard to Claim 28, Shamoon et al discloses a program for implementing an information processing method, comprising:

- the steps of inputting a bitstream which contains one or a plurality of encoded object data, and management information for managing the object data (Figure 1 shows the inputting a bitstream containing encoded object data as further described on Page 2 Paragraphs 0044-0052);
- demultiplexing the bitstream into object data (Figure 1 shows the demultiplexing the bitstream into the object data as further described on Page 3 Paragraph 0060);

- extracting, from the management information, time limit information which pertains to a time limit set for the one or plurality of object data (Figure 1 shows the extraction of the management information which is further described in Page 14 Paragraphs 0201-0205); and
- controlling a reproduction process of the demultiplexed object data on the basis of the extracted time limit information (Figure 2 shows the time stamp wherein is controlled by the reproduction process as further described in Page 3 Paragraph 0056).

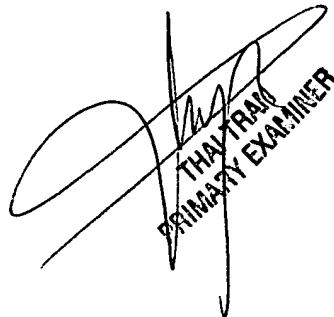
#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. Effective July 15, 2005, the Central Fax Number will change to 571-273-8300. Faxes sent to the old number (703-872-9306) will be routed to the new number until September 15, 2005.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jamie Vent  
02/02/06



THUY TRAN  
PRIMARY EXAMINER